

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ALBERT HIMER HICKS JR.,

Plaintiff,

Case No. 2:24-cv-11547

v.

Honorable Susan K. DeClercq
United States District Judge

SEAN PERKINS,

Defendant.

**OPINION AND ORDER DIMISSING COMPLAINT FOR FAILURE TO
CORRECT FILING DEFICIENCIES**

On June 13, 2024, Albert Hicks, representing himself, sued a state court judge. ECF No. 1. But he had not paid the filing fee or properly asked for an exemption, so he was directed to correct his deficiencies. ECF No. 3. He was also warned that failure to do so would result in the dismissal of his complaint. *Id.* His deadline to correct the deficiencies was June 27, 2024. *Id.*

Hicks has not, to date, corrected his deficiencies. So his complaint will be dismissed “*sua sponte* for failure to prosecute” under Civil Rule 41(b). *United States v. Wallace*, 592 F. Supp. 3d 612, 614 (E.D. Mich. 2021) (citing *Link v. Wabash R.R.*, 370 U.S. 626, 630–32 (1962)); *see also Boussum v. Washington*, 649 F. Supp. 3d 525, 528–29 (E.D. Mich.), *recons. denied*, 655 F. Supp. 3d 636 (E.D. Mich. 2023). This Court warned Hicks that failure to respond adequately would result in

dismissal. He failed to provide a satisfactory response, and further delays will likely be futile.

Accordingly, it is **ORDERED** that Plaintiff Albert Hicks's Complaint, ECF No. 1, is **DISMISSED** for failure to prepay and to file the documents necessary to request leave to proceed without prepaying. *See* FED. R. CIV. P. 41(b).

This order closes the above-captioned case.

/s/Susan K. DeClercq
SUSAN K. DeCLERCQ
United States District Judge

Dated: 8/9/2024